

**REMARKS**

Applicant respectfully requests reconsideration of the present application in view of the foregoing amendments and in view of the reasons that follow.

**Status of Claims:**

No claims are currently being added.

Claims 6-8 and 10-12 are currently being amended.

Claims 1, 5 and 9 are currently being canceled, whereby Applicant reserves the right to prosecute these “withdrawn” claims in a divisional application, if so desired.

This amendment amends claims in this application. A detailed listing of all claims that are, or were, in the application, irrespective of whether the claims remain under examination in the application, is presented, with an appropriate defined status identifier.

After amending the claims as set forth above, claims 2-4, 6-8 and 10-12 are now pending in this application.

**Indication of Allowable Subject Matter:**

Applicant appreciates the indication in the Office Action that claims 2-4 are allowed, as well as the indication that claims 6-8 and 10-12 would be allowed if amended to overcome the 35 U.S.C. § 101 rejection of those claims.

**Request for Reference which is described in Figure 4:**

A request was made on page 2 of the Office Action concerning the reference which is described in Figure 4 of the drawings. Applicant’s representative was not able to find the reference corresponding to Figure 4 of the drawings.

**Objection to Drawings:**

In the Office Action, the drawings were objected to because Figures 4-6 should include a Prior Art label. By way of this amendment and reply, Figures 4-7 are being amended to include a Prior Art label.

**Amendments to the Drawings:**

The drawing sheets attached in connection with the above-identified application containing Figures 4-7 are being presented as a new formal drawing sheets to be substituted for the previously submitted drawing sheets. The drawing Figures 4-7 have been amended. Appended to this amendment is an annotated copy of the previous drawing sheet which has been marked to show changes presented in the replacement sheet of the drawing.

The specific changes which have been made to Figure 4-7 are to include PRIOR ART labels for those figures.

In the Office Action, claims 6-8 and 10-12 were rejected under 35 U.S.C. § 101 as being directed to non-statutory subject matter. By way of this amendment and reply, presently pending claims 6-8 and 10-12 are believed to fully conform to 35 U.S.C. § 101.

In particular, the Office Action asserted that claims 10-12 are non-statutory “as not be tangibly embodied in a manner so as to be executable.” By way of this amendment and reply, claims 10-12 are now clearly embodied in a manner so as to be executable.

The Office Action also asserted that claims 6-8 are non-statutory as they “can be practiced mentally in conjunction with pen and paper”. By way of this amendment and reply, claims 6-8 have been amended such that the steps recited in base claim 6 are performed by a computer. Also, claims 7 and 8 have been amended to explicitly recite a physical transformation of data that is performed external to the computer.

**Conclusion:**

Since all of the issues raised in the Office Action have been addressed in this Amendment and Reply, Applicant believes that the present application is now in condition for allowance, and an early indication of allowance is respectfully requested.

The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741.

If any extensions of time are needed for timely acceptance of papers submitted herewith, Applicant hereby petitions for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 19-0741.

Respectfully submitted,

Date July 25, 2005

By Phillip J. Articola

FOLEY & LARDNER LLP  
Customer Number: 22428  
Telephone: (202) 672-5407  
Facsimile: (202) 672-5399

David A. Blumenthal  
Registration No. 26,257

Phillip J. Articola  
Registration No. 38,819

FIG. 4 (Prior Art)

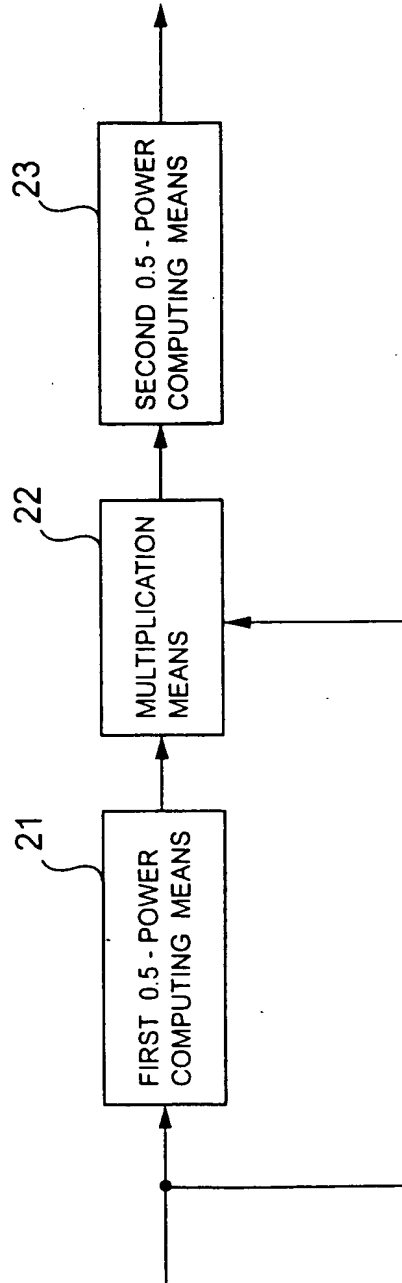


FIG. 5

(Prior Art)

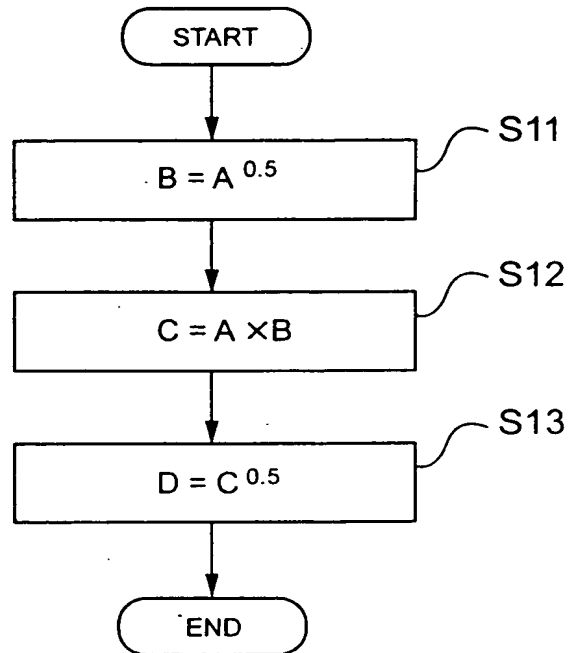
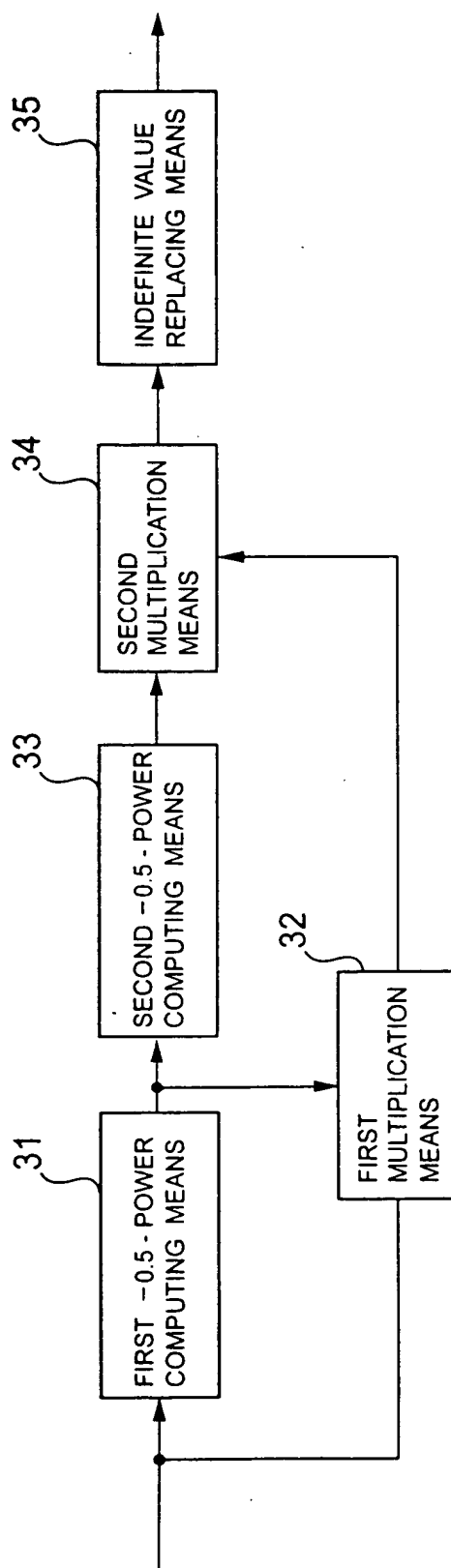


FIG. 6 (Prior Art)



7/7

FIG. 7

(Prior Art)

